

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

The Colony Mobile Home Park, Ltd., a California
Limited Partnership, and the Western
Manufactured Housing Community Association,

Complainants,

v.

Southern California Edison Company; Pacific Gas
and Electric Company; Southern California Gas
Company; San Diego Gas & Electric Company;
and DOES 1 through 10,

Defendants.

Case 02-12-037
(Filed December 26, 2002)

**SCOPING MEMO AND RULING OF ASSIGNED COMMISSIONER AND
ADMINISTRATIVE LAW JUDGE**

1. Summary

On December 26, 2002, The Colony Mobile Home Park, Ltd., (Colony) and Western Manufactured Housing Community Association (WMA) filed this complaint against the above-listed defendants alleging that these utilities improperly base the allowance for line extensions under Rules 15 and 16 on the master meter, and not on the number of residential dwelling units.

This ruling, issued after the March 12, 2003 Prehearing Conference (PHC) in this case, sets forth the procedural schedule and issues to be addressed, confirms the assignment of the presiding officer, and addresses other procedural issues which will facilitate the efficient processing of this complaint.

2. Category of the Proceeding and Need for Hearings

No party has timely objected to the category of this proceeding, which is adjudicatory. Based on the PHC, hearings will be required.

3. Presiding Officer

Pursuant to Rule 6(b)(3) of the Commission's Rules of Practice and Procedure, Commissioner Carl W. Wood designates Administrative Law Judge (ALJ) Janet A. Econome as the presiding officer.

4. Issues to be Addressed

The issues to be addressed are how many allowances, if any, is Colony entitled to for their requested upgrade. Utilities other than Edison should address this issue as hypothetical unless complainants amend the complaint with further specific allegations.

5. Schedule

We adopt the following schedule taking into account the comments from the PHC.

Event	Date
Complainants serve testimony	April 8, 2003
Defendants serve testimony	May 8, 2003
Complainants serve reply testimony	May 19, 2003
Cross-examination estimates served on the ALJ and the parties	No later than close of business on June 2, 2003
Evidentiary Hearings	Monday, June 9, 2003 through Wednesday, June 11, 2003 commencing at 10:00 a.m. on Monday and 9:00 a.m. on the remaining days.
Concurrent Opening Briefs	Wednesday, July 9, 2003
Concurrent Reply Briefs	Wednesday, July 23, 2003

Presiding Officer's Decision	Monday, September 22, 2003
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Our goal is to resolve this case as soon as possible and we currently anticipate that the resolution will not exceed 12 months from the date of filing of the investigation, pursuant to Pub. Util. Code § 1701.2(d).¹

6. Service List

The service list for this proceeding, as developed at the PHC, is attached as Appendix A.

7. Ex Parte Communications

Pursuant to Pub. Util. Code § 1701.2(b), ex parte communications are Prohibited in this proceeding.

8. Other Matters

If the parties have discovery disputes they are unable to resolve by meeting and conferring, they should raise these disputes with the Commission pursuant to Resolution ALJ-164.

IT IS RULED that:

1. Based on the Prehearing Conference (PHC), hearings are necessary.
2. The issues to be addressed and schedule for this proceeding are set forth in Sections 4 and 5 of this ruling and scoping memo, unless subsequently modified by the Assigned Commissioner or Administrative Law Judge (ALJ).
3. ALJ Econome is the presiding officer of this proceeding.
4. Attached as Appendix A is the service list for this proceeding.

¹ Section 1701.2(d) states that adjudication cases shall be resolved within 12 months of the initiation unless the Commission makes findings why that deadline cannot be met and issues an order extending that deadline.

5. Parties shall comply with the requirements set forth in Appendix B regarding exhibits.

6. Parties shall comply with the procedures set forth in Resolution ALJ-164 regarding discovery disputes.

7. Pursuant to Pub. Util. Code § 1701.2(b), ex parte communications in this proceeding are prohibited.

Dated March 21, 2003, at San Francisco, California.

/s/ CARL W. WOOD

Carl W. Wood
Assigned Commissioner

/s/ JANET ECONOME by
JEAN VIETH

Janet A. Econome
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Assigned Commissioner and Administrative Law Judge's Scoping Memo and Ruling on all parties of record in this proceeding or their attorneys of record.

Dated March 21, 2003, at San Francisco, California.

/s/ JANET ALVIAR

Janet Alviar

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.

Appendix B

EXHIBITS

Service of Exhibits

Paper copies of all prepared written testimony shall be served on all appearances and state service on the service list, as well as on the Assigned Commissioner's office and on the Assigned ALJ. Electronic copies shall be served on the entire service list, including information only. Do NOT file prepared written testimony with the Commission's Docket Office. (Such testimony becomes part of the record only after it is admitted into evidence.)

Identification of Exhibits in the Hearing Room

Each party sponsoring an exhibit shall, in the hearing room, provide **two copies to the ALJ and one to the court reporter**, and have at least 5 copies available for distribution to parties present in the hearing room. **The upper right hand corner of the exhibit cover sheet shall be blank for the ALJ's exhibit stamp.** Please note that this directive applies to cross-examination exhibits as well. If there is not sufficient room in the upper right hand corner for an exhibit stamp, please prepare a cover sheet for the cross-examination exhibit.

Cross-examination With Exhibits

As a general rule, if a party intends to introduce an exhibit in the course of cross-examination, the party should provide a copy of the exhibit to the witness and the witness' counsel before the witness takes the stand on the day the exhibit is to be introduced. Generally, a party is not required to give the witness an advance copy of the document if it is to be used for purposes of impeachment or to obtain the witness' spontaneous reaction. An exception might exist if parties have otherwise agreed to prior disclosure, such as in the case of confidential documents.

Corrections to Exhibits

Generally, corrections to an exhibit should be made in advance and not orally from the witness stand. Corrections should be made in a timely manner by providing new exhibit pages on which corrections appear. The original text to be deleted should be lined out with the substitute or added text shown above or inserted. Each correction page should be marked with the word "revised" and the revision date.

Exhibit corrections will receive the same number as the original exhibit plus a letter to identify the correction. Corrections of exhibits with multiple sponsors will also be identified by chapter number. For example, Exhibit 5-3-B is the second correction made to Chapter 3 of Exhibit 5.

End of Appendix B